

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/21/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JASON GOODMAN,

Plaintiff,

-against-

ADAM SHARP, TERRANCE O'REILLY,  
MARGARET ESQUENET, NATIONAL  
ACADEMY OF TELEVISION ARTS AND  
SCIENCES, and ACADEMY OF TELEVISION  
ARTS AND SCIENCES,

Defendants.

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21-CV-10627 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS non-party George Sweigert — with whom Plaintiff Jason Goodman has an ongoing dispute that festers on social media, *see Sweigert v. Goodman*, No. 18-CV-8653 (VEC) — filed a declaration as a proposed intervenor, *see* Dkts. 3, 4;

WHEREAS the Court will construe Mr. Sweigert's declaration as a motion to intervene<sup>1</sup>;

IT IS HEREBY ORDERED that Mr. Sweigert's motion to intervene is DENIED. To intervene as of right under Federal Rule of Civil Procedure 24(a), a party must have a "direct, substantial, and legally protectable" interest in the subject matter of the action. *United States v. City of New York*, 198 F.3d 360, 365 (2d Cir. 1999). Mr. Sweigert has no protectable legal interest in this case, which concerns Defendant's alleged abuse of process with respect to another case in which Mr. Sweigert is not a party, *The National Academy of Television Arts and Sciences, Inc. et al v. Multimedia System Design, Inc.*, No. 20-CV-7269 (VEC). *See New York News, Inc. v. Kheel*, 972 F.2d 482, 486–87 (2d Cir. 1992) (denying non-party's motion to


<sup>1</sup> *See Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474 (2d Cir. 2006) (per curiam) ("the submissions of a *pro se* litigant must be construed liberally and interpreted 'to raise the strongest arguments that they suggest'") (quoting *Pabon v. Wright*, 459 F.3d 241, 248 (2d Cir. 2006)).

intervene to strike allegedly false portions of plaintiff's complaint because the non-party failed to identify a "protectable interest in the action").

To intervene permissively under Rule 24(b), a party must have "a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1)(B). Intervention, however, cannot be used to "inject collateral issues into an existing action," and the Court has broad discretion to deny an applicant's motion for permissive intervention. *Kheel*, 972 F.2d at 486–87. As noted *supra*, Mr. Sweigert has not identified any legally protectable interest in this case, and the Court will not allow Mr. Sweigert to inject his unrelated ongoing disputes with Mr. Goodman into this case.

**SO ORDERED.**

**Date: December 21, 2021**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**